



**THIS PAPER RELATES TO  
ITEM 6  
ON THE AGENDA**

## Memo

To: **The Clerk to the Licensing Board  
Greenfield  
Alloa  
FK10 2AD**

From: **Paul Fair  
Licensing Standards Officer**

Extension: **2091**

Email: **pfair@clacks.gov.uk**

Our Ref: **PF/LSO/S28/CC196**

Your Ref:

Date: **12 March 2021**

Subject: **Licensing (Scotland) Act, 2005, Section 28  
Premises - ceased to be used for the sale of alcohol.  
Little Greens Alloa, 1 Mill Road, Alloa.  
Eros Retail Limited.**

1. The Licensing (Scotland) Act 2005, section 28(1)(b) & 28(5)(b) provides that if licensed premises in respect of which a premises licence has been issued cease to be used for the sale of alcohol, then the premises licence ceases to have effect. Once this stage has been reached the licence cannot be reinstated without a new application being lodged.
2. Eros Retail Limited, 81 Dollar Crescent, Kirkcaldy is the holder of Premises Licence No. CC0196 relating to the premises known as Little Greens Alloa, 1 Mill Street.
3. The premises previously operated as a local mini market and Post office, however for quite a significant period the retail outlet has been closed and the premises operate only as a Post Office only.
4. Significant parts of the retail shopfittings have been removed, including all parts of the approved alcohol display area.
5. The currently named premises manager Fraser Rolley left the employment of Eros Retail on 12 May, 2020. Clackmannanshire Licensing Board have not received the statutory notification of this event from the licence holders
6. Information available suggests that retail area of premises closed on 8 August 2019, however re-opened at some point after that trading solely as a post office
7. Enquiry has revealed that Eros retail Limited no longer has any connection with the premises at 1 Mill Street, Alloa, the lease period with the landlord having ended.

8. No application has been received from any party to transfer the licence.
9. The annual fee for the premises licence for the period 2020-2021 has not been paid.
10. Currently there is no Premises Manager named on the licence, there is no alcohol on display at the premises and none of the statutory licensing notices or documents are on display.
11. It is quite clear that in all the circumstance the premises have ceased to be used for the sale of alcohol and I would recommend that Clackmannanshire Licensing Board note the content of this report and confirms by declaration at the next meeting of Clackmannanshire Licensing Board that premises licence No. CC0196 now ceases to have effect, and that they notify the premises licence holder accordingly.

*Paul Fair*

Licensing Standards Officer